

TEMPORARY

Serial No. 54229 -T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. DEC 12 1989

Returned to applicant for correction.

Corrected application filed. Map filed.

The applicant. Dollyruth Ansolabehere

Rt 3 Box 3 of Austin
Street and No. or P.O. Box No. City or Town

Nevada 89301 hereby make. S application for permission to change the
State and Zip Code No.

Point of diversion, place and manner of use
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Claim 02028 decreed In the Matter of the Deter-
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
mination of the Relative Rights in and to the Waters of Silver Creek
identify right in Decree.)

and its Tributaries, Lander Co. Case No. 2521, Third Judicial District
Court, State of Nevada

1. The source of water is. Silver Creek
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed. 0.67 c.f.s. (110.15 AF)
Second feet, acre feet. One second foot equals 448.3 gallons per minute.

3. The water to be used for. Highway Construction
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for. As Decreed
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point. SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10, T.21N., R.43E.,
Describe as being within a 40-acre subdivision of public survey and by course and
M.D.B.&M. (unsurveyed)
distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within. NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, T.21N., R.43E.,
If point of diversion is not changed, do not answer
M.D.B.&M. (O'Dair Ditch as decreed)

7. Proposed place of use. SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, T.21N., R.43E., M.D.B.&M. (East
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
Side Highway 305)

8. Existing place of use. 3.2 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$, 0.89 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$, 4.81 acres SE $\frac{1}{4}$
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
NW $\frac{1}{4}$, 5.46 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13; 4.52 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$, 0.16 acres
manner of use of irrigation permit, describe acreage to be removed from irrigation.
NE $\frac{1}{4}$ NE $\frac{1}{4}$, 0.74 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$, 4.7 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14 all in T.21N.,
R.43E., M.D.B.&M.

9. Use will be from. March 15, 1990 to. September 15, 1990 of each year.
Month and Day Month and Day

10. Use was permitted from. March 15th to. September 15th of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Temporary diversion box, pipeline
State manner in which water is to be diverted, i.e., diversion structure, ditches,
to water tank to fill water trucks
pipes and flumes, or drilled well, etc.

12. Estimated cost of works. N/A

13. Estimated time required to construct works. N/A

14. Estimated time required to complete the application of water to beneficial use..... N/A

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water will be used for Highway construction on Highway 305
between Austin and Battle Mountain, Nevada

By s/ Dennis G. Stalling's
P.O. Drawer 608
Sparks, NV. 89431

Compared jm/bp bp/se

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of Silver Creek, as heretofore appropriated under Proof 02028 as appears in the Silver Creek Decree, in the District Court of the Third Judicial District of the State of Nevada, in and for the County of Lander is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit is limited to the period March 15, 1990 through September 15, 1990. This permit is issued pursuant to NRS 534.345 Section 2 and will expire on September 15, 1990 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 0.67cubic feet per second, but not to exceed 110.15 acre feet
as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No. Issued.....

IN TESTIMONY WHEREOF, I PETER G. MORROS,
 State Engineer of Nevada, have hereunto set my hand and the seal of my
 office, this 12th day of January,

A.D. 19 90

BY: R. Michael Turnipseed State Engineer
 Chief, Surface Water Engineering

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EXPIRED
DATE 15 Sep 90